

REMARKS

A Notice of Allowance, dated January 24, 2006, was issued in the above-identified application allowing claims 1, 9, 11, 13, 15, and 23. The issue fee is being submitted separately. Applicants have also submitted a First Amendment under 37 C.F.R. §1.312 to correct an error present in claim 15 due to the Examiner's Amendment to that claim. The claims are presented herewith as though the First Amendment under 37 C.F.R. §1.312 has been entered.

In accordance with the instant amendment, Applicants have added new claims 24-26. Support for new claims 24-26 can be found in original claims 2-4.

In the restriction requirement set forth in the October 3, 2003 Official Action, the Examiner indicated at page 3 that Group I (i.e., claims 1, 9, 11, 13, 15, and 19-23) and Group II (i.e., claims 2-4 and 16-18) were related as product and process of use. Furthermore, the Examiner indicated that if product claims in Group I were found allowable, then process claims of Group II would be rejoined. In response to the October 3, 2003 Official Action, Applicants elected Group I. However, during prosecution of the instant application, Applicants inadvertently deleted method claims 2-4. New claims 24-26, which recite the methods previously set forth in claims 2-4, depend from claim 9, an allowed product claim directed to a modified strain of *Streptomyces coelicolor*.


Applicants submit that new claims 24-26 comply with the requirements of 35 U.S.C. §112, first and second paragraphs. Accordingly, it is respectfully requested that the Examiner enter the present amendment, in accordance with the provisions of 37 C.F.R. §1.312.

New claims 24-26 were not added previously because the deletion of original claims 2-4 was inadvertent and not recognized by Applicants until their review of the application after receiving the Notice of Allowability.

The Examiner is authorized to charge any fees  
required to the deposit account of the undersigned, Deposit  
Account No.: 04-1406.

Respectfully submitted,

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